

FISCAL NOTE

SB 49

January 23, 2007

SUMMARY OF BILL: Increases the penalty for the offense of leaving the scene of an accident resulting in death from a Class E felony sentenced at one to two years to a Class E felony sentenced at a minimum of five years. A convicted offender must serve 100 percent of the sentence imposed by the court with sentence credit reduction not to exceed 15 percent.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$103,300 / Incarceration*

Assumptions:

- Currently for this offense, the penalty range depends on the criminal history of the offender. The ranges are as follows: Range I - one to two years at 30%, Range II - two to four years at 35%, Range III - four to six years at 45%, and Career - six years at 60%.
- According to the Department of Correction (DOC), the average operating cost per inmate per day for calendar year 2007 is \$60.16.
- One offender will serve an additional 4.7 years (an increase from 0.3 years for a Class E felony sentenced at 30% to 5.0 years for a Class E felony sentenced to a minimum five years at 100%). The cost per inmate at 0.3 years is \$6,592.33 (\$60.16 x 109.58 days). The cost per inmate at 5.0 years is \$109,867.20 (\$60.16 x 1,826.25 days). The additional cost from increasing the average sentence length from 0.3 years to 5.0 years is \$103,274.87 (\$109,867.20 - \$6,592.33).
- No significant incarceration cost increase will occur due to population growth in this period.

*Tennessee Code Annotated, Section 9-4-210, requires that: *For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director